

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Cr. No. 05-1849 JH
	)	
GEORGE OSGOOD,	)	
	)	
Defendant.	)	

UNITED STATES' RESPONSE TO DEFENDANT'S OBJECTIONS  
TO THE PRESENTENCE REPORT AND SENTENCING MEMORANDUM

The United States hereby responds to Defendant George Osgood's Objections to the Presentence Report and Sentencing Memorandum as follows:

1. The United States concurs with the Defendant's request for a sentence of thirty months imprisonment followed by a term of three years supervised release, as stipulated in the plea agreement. *See* Plea Agreement, Doc. 1609 at ¶5.<sup>1</sup>

2. In his objections to the Presentence Report ("PSR"), the Defendant provides explanations for several of his prior arrests, Doc. 1714 at 2, and discusses his current medical condition and need for immediate medical treatment, Doc. 1714 at 3-7.

Probation has addressed each of these issues in a Second Addendum to the PSR dated

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<sup>1</sup> While the defendant requests in his sentencing memorandum that the Court impose a two year term of supervised release, undersigned counsel has spoken with counsel for the Defendant and the parties agree that the term of supervised release should be three years pursuant to the plea agreement.

September 15, 2009, and the United States concurs with Probation's resolution of these issues.

3. On August 27, 2009, the Defendant submitted a letter to Probation in which he objected to the inclusion of paragraphs 43-69, 72, 73, 77-120, 148, 149, 151, 152, and 154-156 in the PSR. Doc. 1714, Exhibit A. The Defendant does not challenge the accuracy of the information contained in these paragraphs; rather, he asserts that "these paragraphs have no relevance to him or his sentencing." Exhibit A at 2. The Defendant pled guilty to participating in the charged conspiracy from approximately 1998 through August 25, 2005. The United States submits that the information contained in the paragraphs to which the Defendant objects is relevant and helpful to the Court in understanding the nature and scope of that conspiracy, and that this information should therefore remain in the PSR.

Respectfully submitted,

GREGORY J. FOURATT  
United States Attorney

*ELECTRONICALLY FILED*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 23<sup>rd</sup> day of September, 2009, I filed the foregoing pleading electronically through the CM/ECF system, which is designed to cause counsel of record for the defendant to be served by electronic means.

*ELECTRONICALLY FILED*

JAMES R.W. BRAUN  
Assistant U.S. Attorney